

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

TIFFANY KNICKERBOCKER, a  
single person; DARCY BODY, a  
single person,

Plaintiffs,

v.

CITY OF COLVILLE, a municipal  
sub-division of the State of  
Washington, and REX NEWPORT,

Defendants.

NO: 2:15-CV-19-RMP

ORDER DENYING MOTION FOR  
RECONSIDERATION

Before the Court is Defendants' Motion for Reconsideration of the Court's Order Denying Summary Judgment, ECF No. 65. Defendants rely on Fed. R. Civ. P. 54(b), and 60(b)(6) to argue that the court can reconsider its previous denial of their motion for summary judgment. Defendants are represented by Jerry Moberg. Plaintiffs are represented by Jeffry Finer and Richard Wall. The Court has reviewed the file and pleadings in this case and is fully informed.

**LAW**

A court may grant a motion for reconsideration under Fed. R. Civ. P 54(b) and revise a previous order. However, whether to grant a motion for reconsideration is in the Court's discretion. *Navajo Nation v. Confederated Tribes and Bands of the Yakima Indian Nation*, 331 F.3d 1041, 1046 (9<sup>th</sup> Cir. 2003). Granting a motion for reconsideration is not appropriate when the movant previously raised all of the arguments that are in the motion for reconsideration. *Taylor v Knapp*, 871 F.2d 803, 805 (9<sup>th</sup> Cir. 1989).

**DISCUSSION**

In Defendants' motion for reconsideration, they raise the same arguments that they previously raised in their initial motion for summary judgment: basically, that there is no liability for "failure to train" about something that is well known. As Plaintiffs point out, Defendants' rearguing the same authority and facts that they previously raised is not a basis for the Court to grant reconsideration of its prior order. The Court agrees with Plaintiffs.

Although Plaintiffs present additional argument and authority to support their opposition to Defendants' motion for reconsideration, the Court finds that it need not address in detail each argument in this Order. Rather, the Court finds that Defendants have failed to raise any facts or authority that were not previously raised in their original motion for summary judgment. *See Taylor* at 805. Therefore, there is no basis for the Court to reconsider its prior decision.

**IT IS SO ORDERED:** Defendants' Motion for Reconsideration, **ECF No. 65**, is **DENIED**. The District Court Clerk is directed to enter this Order and provide copies to counsel.

**DATED** this 6th day of October, 2016.

*s/ Rosanna Malouf Peterson*  
 ROSANNA MALOUF PETERSON  
 United States District Judge